

MINUTES
MASSAGE THERAPY BOARD
January 16, 2007 – 9:00 a.m.
Room 402 - Fourth Floor - Heber Wells Bldg.
160 East 300 South, Salt Lake City, Utah

CONVENED: 9:05 a.m.

ADJOURNED: 2:20 p.m.

PRESENT:

Clyde Ormond, Bureau Manager
Jacky Adams, Board Secretary

Board Members:

Karen Lessman-Hughes	Richard Engar
Jennifer H Pruetz	Ruth Werner

ABSENT:

Craig Sauer

GUESTS:

Roger Olbrot, AMTA; Craig Anderson, OIMT; Diana Coil, Supervisor for Chelsea Milburn; Vickie Murdock, Supervisor for Jaclyn Nelson; Sara Clegg, Supervisor for Signe Gillum and Trisha Guyman

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

Approve the Minutes from the
November 21, 2006 Board Meeting

Ms. Pruetz seconded by Mr. Engar made a motion to approve the Board Meeting Minutes from the November 21, 2006 meeting, with corrections, the motion carried unanimously.

APPOINTMENTS:

9:00 a.m. Bever, Troy

Mr. Bever met with the Board for his probation interview. Mr. Ormond reviewed Mr. Bever's MOU (Memorandum of Understanding) and explained why Mr. Bever's license was placed on probation.

After a brief discussion it was determined that Mr. Bever is in compliance with his MOU, he is now being supervised by Thomas LaVoie, of Creative Touch. The Board was still concerned that Mr. Bever and Mr. LaVoie did not fully understand all the requirements of Mr. Bever's MOU.

Mr. Engar seconded by Ms. Pruetz made a motion to require Mr. Bever and Mr. LaVoie to attend the May 15, 2007 meeting at 9:00 a.m., the motion carried unanimously.

9:15 a.m. Varona, Michael

Mr. Varona met with the Board for his second interview as it relates to his licensure as a Massage Therapist and his Criminal History. Mr. Varona explained and submitted proof that his charge had been expunged on December 18, 2006.

Mr. Engar seconded by Ms. Werner made a motion to issue full licensure to Mr. Verona, the motion carried unanimously.

9:30 a.m. Willis, Kara

Ms. Willis met with the Board to review her application for licensure as a Massage Apprentice as it relates to her Supervisor, Ms. Sharon Muir, and Curriculum. The Board strongly suggested having a contract written up between Ms. Willis and Ms. Muir to protect both parties.

After a detailed conversation Mr. Engar seconded by Ms. Werner made a motion to approve Ms. Willis as a Massage Apprentice using Ms. Muir's Curriculum, the motion carried unanimously.

9:45 a.m. Cleverly, Ryan

Mr. Cleverly did not attend this meeting to discuss insurance issues, as it relates to this profession.

10:00 a.m. Uken, Ammon

Mr. Uken attended his scheduled appointment with the Board, as it relates to his probationary Massage Therapist license. Mr. Uken submitted an Employer Report stating that he is no longer working within this profession; an updated address was also submitted to the Division.

After a detailed discussion it was determined that Mr. Uken is in compliance with his MOU, and will meet again with the Board on March 20, 2007 at 1:15 p.m. With current Employer Report and proof that he is working within this profession.

10:15 a.m. Smith, Karla

Ms. Smith met with the Board for her scheduled probationary appointment. Mr. Ormond explained that Ms. Smith has been tested for Controlled Substance two-times since the last meeting on November 21, 2006; both tests were negative for any controlled substances. Ms. Smith did not submit an Employer Report, and was reminded that her MOU requires her to submit one quarterly.

It was determined that Ms. Smith is in compliance with her MOU. Ms. Smith requested an early release from her Controlled Substances testing. Ms. Pruetz suggested waiting a couple more months to insure that Ms. Smith will not have a relapse.

Ms. Pruetz seconded by Ms. Werner made a motion to have Ms. Smith submit an Employer Report for the last quarter and attend the next meeting on March 20, 2007 at 2:00 p.m. At that time if Ms. Smith has not had a relapse she may be released from her Controlled Substance Testing, the motion carried unanimously.

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10:30 a.m. Berry, Melanie

Ms. Berry was available for her telephone probationary interview with the Board. Mr. Ormond explained that Ms. Berry had last submitted an Employer Report on September 19, 2006; the report stated that she is not employed as a Massage Therapist within this State.

Ms. Berry then explained why she was on probation. After a brief discussion it was determined that Ms. Berry's probation with Washington will be released in April of 2007, she will submit proof of completion at that time. Ms. Berry is in compliance with her MOU. She will next meet with the Board on May 15, 2007 at 9:15 a.m.

Break

11:00 a.m. Crandall, Tember

Ms. Crandall met with the Board to review her request for change of Massage Apprenticeship Supervisor and Curriculum. After a through review it was determined that the Curriculum meets the requirement of the Statute. The Board strongly suggested having a contract written up between Ms. Crandall and Ms. Brandy Ann Villalta to protect both parties.

After a detailed conversation Ms Werner seconded by Mr. Engar made a motion to approve Ms. Crandall as a Massage Apprentice using Ms. Villalta's Curriculum, the motion carried unanimously.

11:15 a.m. Limb, Tracy

Ms. Limb and Ms. Allison Matson met with the Board to review Ms. Limb's application for Massage Apprentice licensure and Curriculum. After a through review it was determined that the Curriculum meets the requirement of the statute. The Board strongly suggested having a contract written up between Ms. Limb and Ms. Matson to protect both parties.

After a detailed conversation Mr. Engar seconded by Ms. Pruetz made a motion to approve Ms. Limb as a Massage Apprentice using Ms. Matson's Curriculum, the motion carried unanimously.

11:30 a.m. Milburn, Chelsea

Ms. Milburn and Ms. Diana Lynn Coil met with the Board to review Ms. Millburn's application for licensure as a Massage Apprentice with Ms. Coil as her supervisor. The Board strongly suggested having a contract written up between Ms. Milburn and Ms. Coil to protect both parties.

After a through review of Ms. Coil's Curriculum it was determined that a weekly breakdown of the courses was need prior to making a decision.

Mr. Engar seconded by Ms. Werner made a motion to require Ms. Milburn and Ms. Coil to return to the next meeting on March 20, 2007 at 2:15 p.m., with a more comprehensive Curriculum, the motion carried unanimously.

11:45 a.m. Wicker, Rachel

Ms. Wicker met with the Board to review her application as a Massage Therapist as it relates to her June 11, 2005 Burglary, Felony charge. Ms. Wicker entered into a plea in abeyance agreement and the charge was later dismissed on January 5, 2006.

Ms. Werner seconded by Mr. Engar made a motion to approve full licensure for Ms. Wicker, based on the length of time since the charge, the motion carried unanimously.

12:00 p.m. Nelson, Jaclyn

Ms. Nelson and Ms. Vicki Murdock met with the Board to review Ms. Neilson's application for licensure as a Massage Apprentice as it relates to her Supervisor, Ms. Murdock, and Curriculum. The Board strongly suggested having a contract written up between Ms. Nelson and Ms. Murdock to protect both parties.

After a detailed discussion Mr. Engar seconded by Ms. Pruetz made a motion to approve Ms. Nelson as a Massage Apprentice using Ms. Murdock's Curriculum, the motion carried unanimously.

Lunch

1:15 p.m. Gillum, Signe

Ms. Gillum and her supervisor Ms. Sara Kathleen Clegg met with the Board to review Ms. Gillum's application for licensure as a Massage Apprentice. The Board strongly suggested having a contract written up between Ms. Gillum and Ms. Clegg to protect both parties.

After a detailed conversation Ms. Werner seconded by Mr. Engar made a motion to approve Ms. Gillum as a Massage Apprentice using Ms. Clegg's Curriculum, the motion carried unanimously.

1:30 p.m. Guymon, Trisha

Ms. Guymon and her supervisor Ms. Sara Kathleen Clegg met with the Board to review Ms. Guymon's application for licensure as a Massage Apprentice. The Board strongly suggested having a contract written up between Ms. Guymon and Ms. Clegg to protect both parties.

After a detailed conversation Ms. Werner seconded by Mr. Engar made a motion to approve Ms. Guymon as a Massage Apprentice using Ms. Clegg's Curriculum, the motion carried unanimously.

1:45 p.m. Hannig, Susan

Ms. Hannig met with the Board to review Ms. Hannig's application for licensure as a Massage Apprentice. The Board strongly suggested having a contract written up between Ms. Hannig and Ms. Heather Guymon to protect both parties.

After a detailed discussion Mr. Engar seconded by Ms. Werner made a motion to approve Ms. Hannig as a Massage Apprentice using Ms. Guymon's Curriculum, the motion carried unanimously.

2:00 p.m. Sutherland, Blair

Mr. Blair did not attend his scheduled appointment with the Board. It was determined that Mr. Sutherland will need to appear at the next meeting on March 20, 2007 at 2:30 p.m.

DISCUSSION ITEMS:

Supervisor Approval Process

After a lengthy discussion the Board determined that prior to a Massage Apprentice being approved for licensure:

1. A complete application must be submitted including:
 - a. A Curriculum – which has a course-by-course break down; and
 - b. A Syllabus – explaining each course and what the anticipated final outcome should be.
2. Both the Apprentice and Supervisor must attend the next Board Meeting:
 - a. Be prepared to discuss and explain the Curriculum and Syllabus; and
 - b. Be able to meet all supervision requirements.
3. Keep a daily record of hours completed.
4. The Board will encourage a contract be written to protect both the apprentice and the supervisor.

Mr. Ormond suggested having Ms. Epstein attend the next meeting to explain what problems might arise from requiring a contract.

Definition of Employer / Employee relationship as it relates to Apprenticeship

After an extensive discussion it was determined that "Direct Supervision" means that the Supervisor:

1. Is within the same building;
2. Must have a vested interest in the probationer success; and
3. The supervisor not the client pays the apprentice.

National Practitioner Databank

This issue was not discussed.

FSMTB Exam

Mr. Olbrot explained that this document was a survey that had been sent to all Board members. Mr. Ormond questioned the Board if this exam could be an alternative to the NCBTMB (National Certification Board for Therapeutic Massage and Bodywork) or the Utah Theory exams, if it

could be determined that all three exams are comparable. The Board agreed.

Mr. Ormond then explained that at present if a licensee allows their license to expire for more than two-years they must meet current qualifications for licensure, which requires that person to take the NCBTMB exam. Since this exam is very difficult for an Apprentice to take, due to the lack of proof of accredited Anatomy and Pathology courses. If FSMTB (Federation of State Massage Therapy Boards) would allow apprentices to take their exam it would make it easier for an apprentice to reinstate their license, or if the Utah Theory exam was updated is it possible that a licensee could take this exam and become licensed, the Board agreed.

Deseret Morning News
Article – An Outrageous Position

This information was given to the Board as a reminder of how important keeping within the guidelines of the “Open and Public Meetings Act”. No further action was taken.

CORRESPONDENCE:
COMTA Alert

Discussed, with not further action taken.

Massage Theory and Law &
Rule Pass Rates

Discussed, with not further action taken.

The Educated Heart: Professional
Boundaries for Massage Therapists,
Bodyworkers, and Movement Teachers

Discussed, with not further action taken.

NEXT SCHEDULED MEETING:
March 20, 2007

DATE APPROVED

CHAIRPERSON, UTAH BOARD
OF MASSAGE THERAPY

DATE APPROVED

BUREAU MANAGER, DIVISION OF
OCCUPATIONAL & PROFESSIONAL
LICENSING